

**LINWOOD TOWNSHIP
ANOKA COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 215

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI SECTION 2-279, CHAPTER 6,
ARTICLE III, SECTION 6-176, CHAPTER 22, ARTICLE II SECTION 22-60, CHAPTER
30, ARTICLE II SECTION 30-266, CHAPTER 30, ARTICLE III SECTION 30-304,
CHAPTER 30 ARTICLE V SECTION 30-678, AND CHAPTER 30, ARTICLE VII
SECTION 30-1296 AND SECTION 30-1297**

The Board of Supervisors of the Town of Linwood hereby ordains:

SECTION 1. Deposit to escrow. Section 2-279 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Section 2-279 Deposit to escrow

When a land use application has been submitted, the applicant and/or property owner shall deposit funds in an escrow account with the town from time to time an amount determined by the zoning administrator to be necessary to cover such costs prior to commencement of the review stage of the application. The applicant shall reimburse the escrow account for any deficits caused if the amount actually expended or billed to the town by the consultants exceeds the fund balance. The town shall refund any amount deposited in the escrow account not expended when all financial obligations to the town have been satisfied within 30 calendar days after final action on the application. The town shall not pay interest on such escrow fund deposits.

SECTION 2. Lots. Section 6-176 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Section 6-176 Lots

All lots or tracts of land upon which structures are hereafter erected for dwelling purposes shall:

- (1) In the case of lots or tracts on roads designated by the county highway department as prospective county roads or highways, have a front yard setback of at least 40 ~~100~~ feet or such lesser distance as set by the town board after petition and public hearing as provided herein.
- (2) Abut on a public road.

SECTION 3. Filing fee. Section 22-60 of the Linwood Town Code is hereby amended by adding

the double-underlined language and deleting the ~~stricken~~ language as follows:

Section 22-60 Filing fee

A cash filing fee as provided in section 2-249 for each lot shall be paid at the time the preliminary plat is submitted to cover town expenses incurred in processing, reviewing and approving or disapproving the proposed plat; the subdivider shall be responsible for all town expenses in excess of those covered by the initial filing fee, and such excess expenses shall be estimated and placed in escrow with the town. Any balance after final plat approval shall be refunded to the subdivider when all financial obligations to the town have been satisfied ~~90 days after such approval.~~

SECTION 4. When due and payable; deposits. Section 30-266 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Section 30-266 When due and payable; deposits

Fees shall be payable at the time applications are filed with the clerk and are not refundable unless application is withdrawn prior to referral to the planning and zoning commission. A deposit to cover potential extra staff or consulting time and materials may be established and required by the town board. Any portion of the deposit not spent for the uses mentioned in this section shall be refunded to the applicant when all financial obligations to the town have been satisfied ~~within 30 days after the legislative request process is completed.~~

SECTION 5. Alterations to structures. Section 30-304 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Section 30-304 Alterations to structures

Alterations may be made to a structure containing nonconforming residential units when they will improve the livability thereof, provided they will not increase the number of dwelling units and conform to the following regulations. ~~or extend the existing bulk of structure.~~

- (a) The nonconformity is due solely to setbacks.
- (b) The addition is not within the shore impact zone.
- (c) The addition will not encroach further into any setback.
- (d) The size of the addition shall not exceed 50% of the size of the existing primary structure.
- (e) The height of the addition shall not exceed the height of the existing structure.
- (f) Beyond minor alterations needed to accommodate the addition, no structural modifications shall be made to the original structure.
- (g) No permits shall be granted under this provision for homes in which a previous variance has been approved.
- (h) The proposed addition must comply with all other provisions in this chapter.

SECTION 6. Restrictions on bathrooms, kitchens, etc. Section 30-678 of the Linwood Town Code

is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Section 30-678 Restrictions on bathrooms, kitchens, etc.

Accessory buildings are allowed to have a bathroom and/or kitchen but no permanent living provisions such as beds and strong indicators of long-term habitation ~~half bath or utility room but no provision for kitchens, tubs, or showers.~~

SECTION 7. General Business district. Section 30-1296 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Section 30-1296 ~~General~~ Business district

- (a) ~~Within a limited or neighborhood business district,~~ The aggregate square footage of sign space per lot shall not exceed one square foot per front foot of the building but in no case shall exceed a maximum of 50 square feet and shall not be higher than 12 feet.
- (b) ~~Within a shopping center or other business district, the aggregate square footage of sign space per lot shall not exceed the sum of 100 square feet.~~
- (c) Advertising signs, defined as signs which direct attention to a business, service or entertainment not exclusively related to the premises where such sign is located, shall not exceed 300 square feet, shall not be higher than 45 feet and shall not exceed the sum of five square feet per front foot of the lot.
- (d) No sign and no sign support structure shall be closer than 20 feet from any side or rear property line and no closer than 15 feet from any public right-of-way, and no sign shall obstruct in any way a driver's vision of the road or hinder or obstruct any pedestrian path.

SECTION 8. Industrial district. Section 30-1297 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Section 30-1297 Industrial district

- (a) ~~Within any industrial district,~~ The aggregate square footage of sign space per lot shall not exceed four square feet per front foot of the building but in no case shall exceed a maximum of 32 square feet in size, except advertising signs, which, on industrial property, shall not exceed 32 square feet of sign surface and shall not exceed the sum of five square feet per front foot of the lot.
- (b) ~~Within any industrial district,~~ No sign shall exceed a height of 30 feet above the highest outside wall of a principal building, if it is a roof sign or attached

to the building; and no ground sign shall exceed a height of 40 feet above the average grade of lot; nor shall any sign or sign support structure be located closer than 20 feet from any lot line or closer than 15 feet from any public right-of-way, and no sign shall obstruct in any way a driver's vision of the road or hinder or obstruct any pedestrian path.

SECTION 9. Incorporation. The Township Zoning Administrator is hereby authorized and directed to incorporate the amendments made by this Ordinance into the Town Code and such updated version shall constitute the official Town Code.

SECTION 10. Severability. Should any section, subdivision, clause or other provision of this Ordinance be held invalid in any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part held invalid.

SECTION 11. Effective Date. This ordinance shall take effect after its passage and publication in accordance with law.

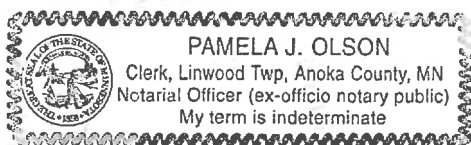
Adopted on this 9th day of April, 2024.

BY THE TOWN BOARD


John Olson, Vice Chairman

ATTEST


Pamela J. Olson, Clerk



Public Hearing: March 19, 2024

Town Board Adoption: April 9, 2024

Published: April 18, 2024